

## Board of County Commissioners Agenda Request 37

**Date of Meeting:** December 9, 2003

**Date Submitted:** December 3, 2003

**To:** Honorable Chairman and Members of the Board

**From:** Parwez Alam, County Administrator  
Tony Park, P.E., Director of Public Works

**Subject:** Approval of County-wide Flooded Property Acquisition Program Funding Source and Acceptance of Prioritized Acquisition List

### **Statement of Issue:**

The Board is requested to approve a funding source to acquire flooded property throughout the unincorporated area and accept a prioritized list of applications combining the Southside and County-wide acquisition program (Attachment #1).

### **Background:**

At the regular meeting on August 26, 2003 the Board directed staff to develop a Flooded Property Acquisition Program throughout the unincorporated area to address flooding impacts to property owners in Leon County. The limited funding requires that a priority listing be developed so that the most severely affected property owners are assisted first. In order to identify property owners throughout the unincorporated area who would choose to sell flood-affected property to Leon County, application forms were distributed to individuals listed on the Flood - Affected Property List provided to the Board at the June 18, 2002 regular meeting. The acquisition application form was also mailed to 7,667 property owners in the unincorporated area, based on review of flood-prone property through the GIS property records.

At the regular meeting of September 23, 2003, the Board directed staff to schedule a workshop on the Flooded Property Acquisition Program. During the workshop on October 28, 2003, the Board specifically directed staff to identify alternative sources to fund the Program, including existing capital projects currently budgeted which could be deferred to later years. No action was considered to modify the current Blueprint 2000 project lists. The Board directed staff to evaluate County-owned property for possible sale of surplus lands to generate revenue for the program. In addition, staff was asked to present bonding scenarios for the Communications Services Tax (CST) revenue or other pledges which can be used to accelerate the acquisition of the flooded property.

### **Analysis:**

### **Funding Source:**

As part of the FY2003/2004 Budget process, the Board authorized the CST to be levied at the Charter County rate. This change in the rate is estimated to generate \$1 million of additional revenue during the current fiscal year. The Board authorized these additional revenues be dedicated toward flooded property acquisition and flood mitigation.

The County's Financial Advisor, Bill Reagan with William R. Hough & Co., has prepared a preliminary financing plan (Attachment #2). The following table reflects various scenarios for the issuance of the debt:

Scenario	Description	Maturity	Project Funds	Total Principal & Interest Paid

1	Fixed Rate, 10 yr bonds	2014	\$8,789,594	\$10,766,955
2	Fixed Rate, 15-year bonds	2019	\$11,508,915	\$15,755,907
3	Fixed Rate, 20-year bonds	2024	\$13,394,380	\$20,748,802

If the Board determines that bonds should be issued, the County's Financial Advisory Committee and Financial Advisor will develop a more detailed financing plan for Board consideration.

The Board needs to be aware of a possible long term financial concern as it relates to the bonding of the CST. The County's existing Fire Services Agreement with the City of Tallahassee expires in FY2008. The County and City will need to negotiate a new agreement to determine the County's cost. There is a strong likelihood that, at that point in time, the City will request a larger amount of money from the County to continue to provide Fire Services to the unincorporated area. Currently, the County is levying the entire Public Services Tax (PST) to support Fire Services; this tax was authorized by the Board to replace the Fire MSTU. In the event additional revenues are required to support a Fire Services agreement with the City, the County would not have the ability to generate additional "unincorporated area only" revenues without imposing an MSTU. However, if the CST was not bonded, these additional revenues could be made available to support Fire Services.

#### Sale of County Lands:

The Board directed staff to review the inventory of County - owned property to determine if surplus lands could be sold to generate the revenue required for the Flooded Property Acquisition Program. Staff from Public Works, Management Services, Public Services and the County Attorney's Office met to review which lands from the 341 parcels could be released for sale (Attachment #3). Two major properties are committed either by lease (Fairgrounds) or funding reservation (Traffic Court). Current uses were identified, or the property was deemed unsalable, for 311 parcels. The remaining 28 parcels, highlighted on the overall list and shown separately with estimated values in

Attachment #4, include sites which have been discussed for sale by the Board, identified by other agencies for potential use, or may be of interest to the public for purchase. The parcels are described and maps provided as part of Attachment #4. Sale of County land will likely require land use modifications to market the property, delaying by two to three years, the receipt of revenue for the Flooded Property Acquisition Program.

Miccosukee Road: Two parcels are located near the intersection of Miccosukee Road and the Blair Stone Road extension currently in construction. The first parcel is the 2.5-acre ballfield area north of Blair Stone Road, severed from the main Public Works complex. The second parcel is a reclaimed stormwater facility at the intersection of Miccosukee Road and Doomar Drive.

Tom Brown Acreage: The sale of a portion of the acreage was reflected in the long term financing plan for the Bank of America and Courthouse renovation projects. However, the expenditures contemplated are beyond the five year capital improvement program and it is difficult to actually determine the requirements of the Bank of America (BOA) and Courthouse renovations. Therefore, the sale of this property should not necessarily be restricted to this specific project. However, future CIPs will have to evaluate the BOA and Courthouse needs and funding will need to be addressed accordingly. The full 80 acres previously discussed for sale include the site of the National Guard Armory, the Tallahassee-Leon County Animal Service Center, and the Easterwood and Weems Road rights-of-way. Approximately 55 acres would be available for sale. Previous Board direction at the March 18, 2003 regular meeting was to defer a decision until further environmental and recreational impact analyses were complete.

Thomasville Road: The sale of the former Bradfordville school site is currently being negotiated. Page 3 of 4

Old Centerville Road: The 1-acre site was dedicated for development of a school several decades ago.

Capital Circle NW: A median strip was transferred to Leon County along with the roadways and drainage system in Lakewood Business Center. The parcel could be held for right-of-way, or sold for use in advertising.

Greenon Lane: Mission Manor Unit 3 parcels were transferred to the County by tax deed. Adjacent parcels are developed with townhouses. The lots could be sold, or used for affordable housing development.

Tower Road Sand Mine: The 78-acre site, west of the Tower Road park, was purchased for mineral mining by the County when the S.A.F.E. program was active, using Gas Tax revenues. The use was opposed by neighborhood representatives due to the associated truck traffic, with no mining occurring since its purchase in 1993.

F.A. Ash Borrow Pit: The 112-acre site is used for stockpiling material and limited mining, and was also purchased using Gas Tax revenues. Portions of the site may be suitable for other uses while maintaining the active use by Public Works.

Mabry Manor Court: Two lots transferred to the County by tax deeds. These may be sold or retained for use as affordable housing development.

Eisenhower Road Pits: The two parcels are currently used by Public Works staff as the material receiving site for Lake Munson restoration and roadside/stormwater pond sediment removal operations. The excess lead was removed from the smaller tract, which is used by Mosquito Control to stockpile material and maintain the mosquitofish hatchery. The Florida Fish and Wildlife Conservation Commission has expressed an interest in placing future material from the Lake Munson restoration at this site.

Lake Palm Drive: The County purchased the 33-acre site in order to realign the Callen Ditch and Central Drainage Ditch confluence with Munson Slough. The uplands can be developed, but the site is identified in the Blueprint 2000 Project Definitions report as the site of a regional stormwater facility and the Capital Cascades Trail.

Bluebird Road: The entire 59-acre tract was purchased to gain control of the 100-year floodplain for the Munson Slough realignment and stabilization. Approximately 17 acres are unaffected by the floodplain or wetlands, and are available for use or sale.

Capital City Estates: Four parcels remain from the County's affordable housing project with Black Jack Construction. The parcels are being evaluated for sale to Black Jack or for County use.

#### Applications:

A total of 148 applications were received for the County-wide program, involving 230 parcels of land. The applications were scored in accordance with the criteria adopted by the Board, based on information provided by the applicants and the most recent Flood Insurance Study. The unfunded Southside Acquisition applications were merged with the County-wide Acquisition applications as directed by the Board. The scores were used to rank the applications as one program.

The number of flood-affected residents assisted in any given year will vary based on the value of the property acquired. The funds will be used for the property survey, appraisals, and closing costs in addition to the purchase price of the property. In the event that an offer is not accepted by the property owner, the funds will become available to the next individual on the list. All acquisition activities will comply with Board Policy 03-01, which requires the County Administrator approval of each offer and contract for the appraised value of the property.

The acquisition program requires staff time to coordinate survey, appraisal, and title work in advance of a purchase.

and coordinate the structure removals following the purchase. Accelerating the acquisition program with a 4-year window would significantly increase staffing requirements. Administrative costs could be used to add staff in-house or hire outside acquisition agents to manage the full program once the Board establishes the funding and priority for purchase, if an accelerated program is selected. The administrative expenses associated with administering an accelerated program, and the financing expenses of bonding, will decrease the funds available to acquire flooded property.

Purchasing flooded property using the dedicated CST increment as it accrues provides the maximum funding directly to the affected property owners. Existing staff will be able to manage the acquisition project in-house using established procedures. If the Board proceeds with the sale of County lands, those funds can be directed into the program at the time property is sold.

For all such property acquisitions, no matter the funding source, the County Attorney's Office advises that the Board must determine that the acquisitions meet a public purpose, not a private benefit. That is, the acquired properties must be utilized as part of the County's stormwater management system or plan. Furthermore, the County Attorney's Office has expressed concerns with the continued use of the hypothetical-situation appraisals (appraising the properties as if they do not flood or have no flood damage). Not only could such a continued policy impact the County's involuntary acquisitions on other projects (eminent domain), but again, the expenditure (purchase price) must meet a proper public expenditure review.

**Options:**

1. Accept the prioritized County-wide Flooded Property Acquisition List.
2. Direct staff to proceed with the acquisition program using the Communications Services Tax increment as funds accrue rather than bonding the CST revenues.
3. Select properties from surplus lands for further evaluation.
4. Direct staff to bond the CST revenues to accelerate the acquisition program.
5. Do not accept the prioritized County-wide Flooded Property Acquisition List.
6. Do not bond CST funds.
7. Do not select properties for further evaluation.
8. Board Direction.

**Recommendation:**

Options #1, #2 and #3.

**Attachments:**

1. Prioritized Acquisition List
2. Preliminary Financing Plan
3. Leon County Ownership
4. Possible Surplus Lands
5. Prioritized Acquisition List 2